GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Revenue Department - The Andhra Pradesh Assigned Lands (POT) (Amendment) Act, 2019 (Act 11 of 2019) - The Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007 – Amendment - Notification - Orders - Issued.

REVENUE (LANDS-I) DEPARTMENT

G.O.MS.No. 203 **Dated: 20-07-2020.**

Read the following:

1. The A.P. Assigned Lands (Prohibition of Transfer) Act, 1977.
2. The Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 1977 issued in G.O. Ms. No.281, Revenue Department, dt.2-2-1978.
3. The Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 2007.
4. The Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007 issued vide G.O.Ms.No.208, Revenue (ASSN-POT) Department, dt.22-2-2007.
5. The A.P. Assigned Lands (Prohibition of Transfer) (Amendment) Act, 2019 (Act No.11 of 2019).
6. From the Spl. CS & Chief Commissioner of Land Administration, A.P., Vijayawada, Lr.No.Assn.(1)/230/2019, dt.24.01.2020.

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ORDER:

Whereas, the Andhra Pradesh Assigned Lands (Prohibition of Transfer) Act, 1977 (Central Act No. 9 of 1977) has been enacted and same has been come into force w.e.f. 21st January, 1977. Subsequently, the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 1977 issued in G.O.Ms. No.281, Revenue Department, dated.2-2-1978.

2. And whereas, the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 2007, enacted. Consequently, the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007 issued in supersession of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 1977 issued in G.O. Ms. No.281, Revenue Department, dated.2-2-1978.

3. And whereas in the reference 3rd read above, the Andhra Pradesh Assigned Lands (Prohibition of Transfer) (Amendment) Act, 2019 (Act No.11 of 2019 has been published on 18th February, 2019 and come into force with effect from 29th January, 2019. Consequently, in the reference 6th read above, the Special C.S & CCLA, A.P., Vijayawada has furnished draft Rules to Government for approval.

4. After careful examination, Government have decided to amend the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007 suitably.

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5. Accordingly, the following Notification will be published in an Extraordinary issue of the Andhra Pradesh Gazette dated.20-07-2020.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 9 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (Act No.9 of 1977), and as amended by the Andhra Pradesh Assigned Lands (POT) (Amendment) Act, 2019 (Act No.11 of 2019) the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007 issued in G.O.Ms.No.208, Revenue (ASSN-POT) Department, dated.22-02-2007, and as subsequently amended, as follows:

AMENDMENTS

In the said rules, after rule 6 the following rules shall be added namely,-

7. As per the provisions of the sub-section (2B) of Section 3 of the said Act any Assigned House Site is alienated as on 29-01-2019 i.e., the date of commencement of the Act No.11/2019 (A.P. Assigned Lands (POT) (Amendment) Act, 2019), it shall be regularized in favour of the alienee as a one-time measure.

(i) Definition of "Family":

The "family" shall include a person, his/her spouse, minor children, minor brothers and minor sisters' dependent on him.

(ii) Categorization of Family:

A family shall be treated as Below Poverty Line (BPL) if it is having a White Ration Card (or) if it is not having a White Ration Card, the Income of the Family shall not exceed the income prescribed for BPL Category.

(iii) Maximum area for regularization:

The maximum area for regularization of assigned house site in favour of the alienee shall be up to 300 Sq. Yards only.

(iv) Only once in a life time:

The eligible family shall be assigned house site only once in a life time.

(a) If any alienee gets his/her assigned house site regularized, such alienee shall not be eligible for any allotment of house site by the Government, even if they sell their regularised house site.

(b) Regularization charges shall be collected from the person/family who were already assigned a house site earlier or who are in possession of more than one assigned house site (as a assignee or as a alienee).

(v) Cost of Regularization:

The following rates are prescribed for regularisation of assigned house sites in favour of the alienee.

Standard rates of house sites:

Family Type	Extent in Sq. Yards	Cost in Rural & Urban areas
BPL families	Up to 100 Sq. Yards	Rs.1/- (One Rupee only)
	100-300 Sq. Yards	Prevailing Market Value as decided by the District Collector duly following the procedure.

(vi) Mode of Payment

Up to 100 square yards for the BPL families, the amount(Rs.1) shall be collected at once and in case of others, the amount shall be payable to Government through Challan in Maximum of (4) equal instalments. The entire amount shall be paid within six months from the date of receipt of approval. If payment is not made within six months, necessary action to resume the assigned house site shall be taken as per law.

(vii) Proof of Identity of the alienee of the assigned house site

Aadhar Card shall be accepted as proof of Identity of alienee. In case the applicant is not having Aadhar Card, any other document which may prove the Identity may be accepted as proof of Identity.

(viii) Proof of alienation of the assigned house site

The following documents may be accepted as proof of alienation of the assigned house site.

1. Registered document (purchase, gift, lease, mortgage, exchange or otherwise)
2. Sadabinama to establish transfer of assigned house site duly supported by local enquiry by Tahsildar.

(ix) Filing of Application

The Tahsildar shall inquire into the house sites that were assigned in each of the village and if any house site is alienated to others, he shall issue a notice to the alienee to file application for regularization in the prescribed format at mee seva centre or gramasachivalayam within 120 days from the date of coming into operation of the Rules. If no application is filed within the stipulated period, necessary action to resume the assigned house site shall be taken as per law.

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(x) Processing of Applications

(a) All applications received in MeeSeva / Village Secretariat shall be forwarded to the concerned Tahsildar.

(b) The Tahsildar shall conduct a detailed inspection in respect of each application and make recommendation to the Sub Division Level Approval Committee for taking a decision on the eligibility of the applicant with in a period of 30 days of receipt of application. The District Collector/CCLA may prescribe a suitable Check List for use of the Tahsildar.

(c) After the approval of the concerned Sub Division Level Approval Committee, the Tahsildar shall issue the prescribed regularization document in favour of the alienee, after payment of prescribed regularisation fee as per rule 1 (vi).

(xi) Regularization of assigned house sites shall be done in favour of women member of alienee family only. In case of woman member is not available, the eldest male member may be considered.

(xii) Approval Committee:

(a) A Sub-Division Level Committee (SDLAC) shall be constituted with the following officers to consider the cases upto 300 Square Yards:

1. Sub Collector/RDO -Chairman
2. Town Planning Officer/MPDO -Member (applicable to Town/Rural)
3. Tahsildar concerned - Member Convenor

(b) The Committee shall take a decision within 30 days from the date of receipt of report of Tahsildar.

(xiii) Appeal

Anyone aggrieved by the orders of the SDLAC may file appeal before the Joint Collector of the District within (30) days from the date of receipt of order. The decision of Joint Collector shall be final.

(xiv) Right to inherit/alienate

Alienable rights shall vest automatically on completion of 20 years from the date of regularization as per provisions of Section 2A of the Act.

(xv) Allotment order shall be linked with Aadhar to prevent same person getting house site again.

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8. (i) As per the provision of sub-section (2A) of Section 3 of the Act, after completion of the period of 20 years from the date of assignment of a House Site, the assigned house site be transferable either by purchase, gift, lease, mortgage, exchange or otherwise. The concerned authorities may accept such transactions after completion of the period of 20 years from the date of assignment of a House Site.

(ii) The said assignee who transfers the Assigned House Site is not eligible for any further fresh assignment of House Site.

9. (i) As per the provision of sub-section (2C) of Section 3 of the Act, the eligible family shall be assigned house site only once in life time.

(ii) The Tahsildar of the respective Mandal shall enquire all fresh applications for assignment of House Sites that whether the eligible family earlier granted any House Site or not as the eligible family shall be assigned House Site only once in lifetime under the provisions of the subsection (2C) of Section 3 of the Act.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing & Stationery (Printing Wing), Vijayawada with a request to publish the Notification in the Andhra Pradesh Extraordinary Gazette and supply 100 copies of the same.
The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Vijayawada.
The Commissioner, R&R, and Land Acquisition, AP, Vijayawada.
All Departments of Secretariat.
All Collectors / Spl. Collectors / LAOs in the State of Andhra Pradesh (through the CCLA, AP, Vijayawada)
Copy to:
The OSD to the Prl. Advisor to C.M.,
The OSD to Dy. C.M. (Rev.)
The OSD to C.S.
The P.S. to Prl. Secretary, Revenue (land).
The Law (H) Department.
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER